

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDRE JONES  
2042 Conlyn Street  
Philadelphia, PA 19138-2928,  
Plaintiff,

vs.

CIVIL ACTION NO.

CLIENT SERVICES, INC.  
3451 Harry Truman Boulevard  
St. Charles, MO 63301-4047,  
Defendant.

**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for damages brought by a consumer pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. §1692 ( ‘FDCPA ’).

2. The FDCPA prohibits debt collectors from engaging in deceptive and unfair practices in the collection of consumer debt.

3. Defendant is subject to strict liability for sending a collection letter to Plaintiff which violates the provisions of the FDCPA.

**II. JURISDICTION**

4. Jurisdiction arises under 15 U.S.C. §1692k and 28 U.S.C. §§1331 and 1337.

5. *In personam* jurisdiction exists and venue is proper, as Defendant does business in this district and has caused harm in this district.

### **III. PARTIES**

6. Plaintiff Andre Jones is a consumer who resides in Philadelphia, Pennsylvania at the address captioned above.

7. Defendant Client Services, Inc. (“Client Services”) is believed to be a Missouri corporation with a principal place of business in St. Charles, Missouri and a mailing address as captioned.

8. Client Services regularly uses the mail and telephone to attempt to collect consumer debts alleged due another.

9. Client Services is a “debt collector” as contemplated by the FDCPA, 15 U.S.C. §1692a(6).

10. Defendant regularly attempts to collect debts in, and does business in this district.

### **IV. STATEMENT OF CLAIM**

11. On September 16, 2009, Defendant Client Services sent Plaintiff a letter in connection with a consumer debt allegedly due. A copy of the September 16, 2009 letter is attached hereto as Exhibit “A”(redacted per Fed. R. Civ. Pro. 5.2).

12. In the September 16, 2009 letter, Defendant states in part:

“The above account has been placed with our organization in a Pre-legal status for payment in full. Due to the terms of your agreement, our client may take legal action against you in accordance with your state laws.”

13. The September 16 letter further states:

“Pre-legal agencies are required to conduct an asset/property search and employment verification at the same time collections efforts are being made.”

14. The FDCPA prohibits a debt collector from making false, deceptive or misleading statements in connection with the collection of a debt. 15 U.S.C. §1692e.

15. Defendant's representations that it is a "Pre-legal agency", that the account is in a "Pre-legal status", and that asset, property and employment verification searches are required, are deceptive and misleading in violation of the FDCPA.

16. Client Services' use of the term "Pre-legal" to describe itself and the status of the account is done to deceive or mislead the consumer as to the status of the account, and creates a false sense of urgency in connection with the collection of the account, in violation of the FDCPA. 15 U.S.C. §1692e(2) and e(10).

**COUNT I –FAIR DEBT COLLECTION PRACTICES ACT**

17. Plaintiff repeats the allegations set forth above as if the same were set forth at length herein.

18. Defendant has violated the FDCPA by sending a collection notice(s) to Plaintiff which makes false, deceptive, or misleading representations or statements in connection with the collection of consumer debt alleged due. 15 U.S.C. §§ 1692e, e(2), and e(10).

**WHEREFORE,** Plaintiff Andre Jones demands judgment against Defendant Client Services, Inc. for:

- a. Damages;
- b. Attorney's fees and costs; and
- c. Such other and further relief as the Court shall deem just and proper.

V. **DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully submitted:

DATE: 01/26/10

/s/ Cary L. Flitter (CLF5997)

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